

June 21, 2002

EX PARTE

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals Building
445 12th Street, SW TW-A325
Washington, D.C. 20554

Re: RM-10403
In the Matter of Progeny LMS, LLC
Petition for Rulemaking to Amend Part 90 of the Commission's Rules Governing the
Location and Monitoring Service

Informal Comments of LXE Inc.

Ladies and Gentlemen:

LXE Inc. is a manufacturer of radio-linked local area computer networks, principally used by its customers in warehouses, ports and similar materials-handling applications. Although most of LXE's current products operate in the 2.4 Ghz band, LXE continues to offer products in the 902-928 Mhz band, and supports approximately 2,500 such installations among its existing customers operating under Part 15. LXE estimates that these installations comprise approximately 100,000 900 Mhz devices.

LXE respectfully brings to the attention of the Commission the interests of it and its customers in freedom from interference in the 900 Mhz band, and in the continuation of current rules and restrictions affecting LMS licensees. It is LXE's understanding that at the time the LMS licenses were granted, the various restrictions were imposed for the express purpose of protecting Part 15 users. LXE believes that by its petition, Progeny is seeking to degrade and/or supplant the rights of Part 15 users in the interest of developing a business model different from that used to obtain its limited rights in the first place.

As a result of its views on and understanding of this matter, LXE endorses the original and responsive comments of Itron, Inc.

Respectfully submitted,

LXE Inc.

By: /s/William S. Jacobs
William S. Jacobs
Vice President and General Counsel